

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
SCHULLER, Peter

Application No.: 10/531,716

Confirmation No.: 1419

Filed: September 9, 2005

Art Unit: 3762

For: IMPLANTABLE CONDUCTING LEAD

Examiner: Rex R. Holmes

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Along with the Issue Fee payment submitted herewith, Applicant submits the following Remarks.

It is not believed that extension of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to allow consideration of this paper, then such extensions of time are hereby petitioned under 37 CFR §1.136(a), and any fees required therefore, including fees for net addition of claims, are hereby authorized to be charged to Deposit Account No. 22-0185 under Order No. 22409-00326-US.

Remarks begin on page 2 of this paper.

REMARKS

1. Applicant submits the following remarks as a clarification to the record of the captioned application.
2. Applicant conducted a review of the prosecution of the captioned matter after receipt of the Notice of Allowance. In that review, Applicant noticed that during prosecution the immediate prior version of the claims presented in certain claim amendments was not accurate.
3. In interviews conducted with the Examiner after issuance of the Notice of Allowance dated January 26, 2010, Applicant's Representative brought this observation to the attention of the Examiner. In the interviews the Examiner confirmed that the allowed claims were those presented in the paper filed September 28, 2009, regardless of any discrepancies that may have occurred during prosecution. Subsequent amendments by the Examiner after allowance further show that the claims presented in the paper filed September 28, 2009 were consistent with the USPTO records.
4. In view of the foregoing, this application should be in condition for issuance. A notice to this effect is respectfully requested.

Dated: April 26, 2010

Respectfully submitted,

Electronic signature: /Michael G. Verga/

Michael G. Verga

Registration No.: 39,410

CONNOLLY BOVE LODGE & HUTZ LLP

1875 Eye Street, NW

Suite 1100

Washington, DC 20006

(202) 331-7111

(202) 293-6229 (Fax)

Attorney for Applicant